

PLANNING BOARD MEETING MINUTES
VIA ZOOM

January 18, 2022

Present: Russ Williston, Chair, Carol Jackson, Roy Mirabito, and Peter Christoph

Absent: Tom Christopher

Staff Present: Jasmin Farinacci, Planning Director and Debra Dennis, Community Development and Planning

List of Documents:

- Planning Board Agenda for January 18, 2022
- Zoning Change Article for Special Town Meeting, received from Select Board on 11/16/2021 and concept plan
- Emailed public comments: Jessie Lockhart, Jillian, and Christina Quill

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The Chair called the meeting to order at 7:00PM.

Attendance Roll Call: Roy Mirabito here, Carol Jackson here, Peter Christoph here, and Russ Williston here.

Public Hearing for Zoning Article: Amendment to Zoning Map proposed by the Lancaster Select Board

Chair Williston read the public hearing notice into the record thereby convening the public hearing. The Town of Lancaster Planning Board will hold a public hearing via Zoom. Us on Monday, January 18, 2022, at 7:00 PM upon a petition by the Lancaster Board of Selectmen for a requested Amendment to the Zoning Map pursuant to Section 220-58 of the Lancaster Zoning Bylaws. The petition seeks to change the zoning district of certain land to be include within the Enterprise District. The land subject to the proposed zone change is described as follows:

A portion of Assessors' Map 8, Lot 45 currently situated in the Residential District and bounded as follows:

Easterly By another portion of Assessors' Map 8, Lot 45 situated in the Enterprise District and by the westerly borders of Assessors' Map 9, Lot 4, and Assessors' map 13, Lots 5 and 10; Southerly By the northerly border of Assessors' Map 13, Lot 10; Westerly By the northerly border of Assessors' Map 13, Lot 10 and the easterly border of Assessor's Map 13, Lot 1; Northerly By the southerly borders of Assessors' Map 8, Lots 39, 39A, 37H and 37F; the easterly borders of Assessors' Map 8, Lots 40E, 40D, and 40C and the southerly borders of Assessor's Map 8, lots 43 and 44.

Being the same land shown as “proposed Enterprise Zone” and 100’ No Build Buffer” on a sketch entitled “Proposed Re-Zoning Plan, Lancaster, MA” which also shows the land’s northern boundary as “New Proposed Enterprise District Zoning Line” on file with the Office of Community Development and Planning, 701 Main Street, Lancaster, MA, 978-365-3326 Ext. 1310

Chair Williston read the three public comments into the record from Jesse Lockhart, Jillian and Christina Quill who expressed their concerns.

Jesse Lockhart, 517 White Pond Road who is against the proposed zoning change. He stated if approved this could potentially put two large warehouse type buildings with 216 loading docks right across the street from his home. The impact of this would be immense for them in terms of noise pollution and environmental pollution. He asked that the Board consider their fellow Lancaster residents, when considering this decision outside of his personal reasons for being against the rezoning. The impact on traffic from a project of this magnitude on an already trust stressed traffic system would be catastrophic. Lastly, this rezoning stands to benefit very few parties and the town of Lancaster's benefit would be negligible compared to the negative impact rezoning would elicit.

Jillian, Spec Pond who is concerned about the rezoning from residential zoning to enterprise zoning proposed by the Capital Group properties. A drastic rezoning of land within an area of critical environment concern is troubling. She was concerned about the impact on plants, animals, and air quality from the hundreds of trucks per day. She didn’t think the profits and benefits outweigh the everlasting destruction of the health and safety of the affected people and environment. She wanted a new traffic plan and fiscal analysis done prior to further consideration of this rezoning.

Christina Quill, 45 Spec Pond wrote about the research concerning the costs and benefits of allowing the rezoning. The benefits are few if any tax revenue which may or may not actually amount to the numbers that capital group is proposing. She said some people think that our taxes will go down, we all realize this is a dream, the costs are many and will impact each resident of Lancaster not just north Lancaster. The cost of the residence as related to pollution, traffic and noise is going to have a significant impact on the residents, quality of life. She said she is not against development such as restaurants, office buildings, local shops, and Community activity centers for families would be a great addition to the area.

Board Comments:

Roy Mirabito said he wants to address his concerns from two perspectives: about the zoning change and how that relates to the town of Lancaster and then to specific changes that will result from the approval of this zoning change. He said his general observation is building a roughly 1.182 million square foot building within the residential zone and roughly 70% within the ACC. He said he wants to protect and preserve the towns rural and historic character, ponds, rivers, and wetlands. He said he wants to encourage business development that is appropriate in type, location, and design so that it enhances its surroundings, rather than having to shield from, and to protect Lancaster’s important natural resources, including the wildlife habitat and the national river.

Martha Moore, 131 Center Bridge Road, asked if the town accepts this zoning change or the Planning Board does is that equated with an approval of their concept plan? Chair Williston said no the concept plan is not automatically approved. If voted that is a commitment to use the zoning for that purposed afterward. The Planning Board would look at the site plan and concept plan again and determine if it’s

consistent with what was on the concept plan and if it's not, they have to get a special permit from the Planning Board to continue.

Karen Caveolin 117 Fire Road stated she has concerns about not limiting the hours of business and the size of the warehouse. She wanted to bring businesses in that would benefit Lancaster needs such as entertainment, restaurants, and recreation. She had concerns about the traffic.

Cara Sanford, 350 Bull Hill Road read a statement she prepared against the rezoning.

Nick Facendola, 137 Colon Lane questioned why the Select Board wanted this zoning bylaw change just for storage facilities and warehouses. He said other principle, commercial and industrial uses require a special permit. He said this protects the town which allows the Planning Board to do a more thorough job vetting this process which could include conditions that run with this property and project for the duration.

Justin Smith, Turner Lane discussed the agreement with North Lancaster LLC. He said the agreement expired on October 18, 2021. He said residents of Lancaster deserve to know the truth about why the North Lancaster Land agreement was not executed.

Greg Jackson, 40 Farnsworth Way said he has some issues with the concept plan. He talked about the 100-foot buffer from conservation land.

Dennis Hubbard, Grant Way stated the financial analysis has deep gaps in it. He said before the town votes they should have a real understanding of what the financial impact is.

Paul Bebis, 503 White Pond Road said he understands that something needs to be built but not large warehouses and loading docks.

Madeline D'Onofrio, 109 Fire Road 11 expressed her concern with the decision to rezone. She said this should be delayed until the town receives a complete accurate traffic study and fiscal analysis.

Anne Ogilvie, Turner Lane spoke out against the rezoning. She commented about the volume of traffic that this would bring. A goal of the master plan is to protect and preserve the towns rural and historic character. It's ponds, river and wetland, landscape, and historic buildings. She said before any vote is taken the town needs a regional traffic study that would consider all the proposed developments and their impacts on local and state roads, especially Route 70 and the town center. She said rather than sacrifice the quality of life and put the town road safety, clean air, clean water, peace and quiet night sky and environmental integrity at risk, the town needs to reject this request for rezoning.

George Frantz, Highfield Drive said as a member of the Economic Development Committee he endorses the idea of a regional traffic impact study. He said Capital Group, or any other developer needs to provide accurate information regarding how they are going to proceed with things.

- Chair Williston shared the plan and showed the residential zone that was being discussed pertaining to this zoning bylaw change.

Frank Streeter commented that it's not rezoned or nothing. Something is going to happen.

Carol Jackson said she is surprised the town is going forward with this since they haven't settled the settlement agreement yet.

Chair Williston said there are a lot of abutters and people who live nearby who are voiced their concerns tonight. He gave an overview of the history of this proposal that was initially presented in form by the Capital Group in March. The plan that we were just looking at is the actual plan that they submitted to us back in March to look at they asked the Planning Board to take up this proposal and the Planning Board reviewed their proposal over several weeks and declined to take it up. It was then proposed in the same form as a citizen's petition at the annual town meeting in June, and now a third time by the Select Board.

Chair Williston said the parcels are part of the residential district because they are directly above an existing residential neighborhood and Conservation land.

Chair Williston said he agrees with the town's Economic Development Committee, allowing by right business zoning directly abutting a residential neighborhood and conservation land is too big a risk, and it does not contribute to the town's goals in that area. The Select Board proposed this article, without first approving a concept plan. When the Board received the concept plan we requested it didn't include floor plans, architectural elevations, time schedule for construction of units and improvements. Chair Williston said he does not intend to support this article, as it was submitted.

Jasmin Farinacci, Planning Director, said she was grateful to all the residents that came out this evening. She said the Board conducted a very well hearing. She said she has full confidence that the Board will do absolutely what they feel is best.

Carol Jackson made a motion to close the hearing. Roy Mirabito seconded the motion. No discussion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Peter Christoph yes, and Russ Williston yes.

The Board will now take all the comments received and will prepare a response for the next meeting for the Board members to review. He polled the Board as to positive or negative. All members wanted a negative report. Chair Williston said he will prepare a draft report to be discussed and voted on at the next meeting.

Minutes

There were no meeting minutes available at this time.

Meeting Schedule

Chair Williston went over the following schedule of meetings: 1/24/2022 @ 7PM, 2/9/2022 @ 7PM: Meeting rescheduled from Valentine's Day, 2/14/2022 @ 7PM: No meeting, Valentine's Day, 2/15/2022: *Anticipated Special Town Meeting*, and 2/28/2022 @ 7PM

Adjourn

Roy Mirabito made a motion to adjourn. Carol Jackson seconded the motion. No discussion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Peter Christoph yes, and Russ Williston yes.

The meeting was adjourned at 8:57 pm.

Approved: March 14, 2022

Respectfully submitted

Debra Dennis